

Applicant: Bayliffe et al.
Serial No.: Not yet assigned
Docket 13134-PCT-US
Preliminary Amendment – March 22, 2002
Page 3 of 3

REMARKS

Entry of this preliminary amendment is respectfully requested. Pursuant to 37 CFR §1.121, a marked up version of the amendment to the specification and to the amended claims is submitted herewith.

The claim amendments reflect changes to conform the claims to U.S. practice. The amendments do not add new matter.

This is a PCT national stage filing under 35 USC §371, claiming a right of priority to an earlier filed foreign application GB 9922527.8 filed 24 September 1999, in accordance with 35 USC §363 and 35 USC §365. The amendment to the specification identifies the present application as a national stage filing in the U.S. under the PCT (for PCT/GB00/03597 filed 19 September 2000) and also claims priority to GB 9922527.8 filed 24 September 1999.

Applicants submit no fee is required in connection with the filing of this Preliminary Amendment. If any fee is deemed necessary, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 11-0171.

Respectfully submitted,



William D. Schmidt
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Registration No.: 39,492

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13134-PCT-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bayliffe et al.

Examiner: To be assigned

Serial No.: To be assigned

Art Unit: To be assigned

Filed: Herewith

Title: Assay

Kalow & Springut LLP
488 Madison Avenue
New York, New York 10022

March 22, 2002

Commissioner for Patents
Washington, D.C. 20231

MARKED UP CLAIMS

Dear Sir:

In accordance with 37 CFR §1.121 (c) the following marked up claims are submitted to accompany the amendment filed concurrently for the application identified above.

6. (Amended) A method [as claim in any one of the previous claims and] of claim 1 which further comprises the use of one or more common amplification primer(s) in the presence of appropriate nucleotide triphosphates and an agent for polymerization, and subjecting the mixture to PCR amplification such that a diagnostic primer is extended only when the corresponding allelic variant is present in the sample; and detecting the presence or absence of the allelic variant by reference to the presence or absence of a corresponding PCR amplification product.

Certificate of Mailing Under 37 C.F.R. 1.10

I hereby declare that this correspondence is being deposited with the United States Postal Service via Express Mail Label No. EV035716434 in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C.

Date: 3/22/02 Name: J. Silver

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7. (Amended) A method [as claimed in any one of claims] of claim 2[-6 and] wherein two or more diagnostic primers are used as a multiplex.
8. (Amended) A method [as claimed in any one of claims] of claim 2[-6 and] wherein all of the diagnostic primers are used in a single multiplex reaction.
9. (Amended) A method [as claimed in any one of the previous claims and] of claim 1 which further comprises the use of one or more control primers.

Respectfully submitted,



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